

REMARKS

Claims 1-3, 9-17, 24-29 and 32 are pending and stand ready for further action on the merits. Claims 12, 14, 17, 27 and 28 have been withdrawn from consideration as being drawn to non-elected subject matter.

The Examiner requires an Election of a single claimed species under 35 U.S.C. §121 for: (i) a metal oxide to be mixed with the MnO_2 ; and (ii) a specific decomposition promoter.

In response, Applicants elect, with traverse, copper oxide as the species for a (i) metal oxide to be mixed with MnO_2 . Also, Applicants elect, with traverse, CuO as the species for (ii) a specific decomposition promoter.

Both species (a) and species (b) are encompassed by all pending claims.

Applicants traversal is based on the fact that the Examiner has not shown there would be an undue burden to examine all of claims 1-3, 9-17, 24-29 and 32. According to MPEP §803, if the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions. The Examiner has not provided any evidence that an examination of the entire scope of claims 1-3, 9-17, 24-29 and 32 would be an

undue burden. Accordingly, Applicants respectfully request that the Examiner examines the entire scope of claims 1-3, 9-17, 24-29 and 32.

However, should the Examiner find that the elected components (i) and (ii) are allowable, Applicants respectfully submit that claim 1 contains a reasonable number of additional species to expand the search in accordance with MPEP §809.02 (c) (B) .


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Garth M. Dahlen, Ph.D., Esq. (Reg. No. 43,575) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17;
particularly, extension of time fees.

Respectfully submitted,

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